

# Exhibit 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

**BLUE SPIKE, LLC**

v.

**TEXAS INSTRUMENTS, INC.**

**CASE NO. 6:12-cv-499**

**BLUE SPIKE, LLC**

v.

**SHAZAM ENTERTAINMENT LTD.**

**CASE NO. 6:12-cv-500**

**BLUE SPIKE, LLC**

v.

**IPHARRO MEDIA, INC., et al.**

**CASE NO. 6:12-cv-502**

**BLUE SPIKE, LLC**

v.

**VIGGLE, INC.**

**CASE NO. 6:12-cv-526**

**BLUE SPIKE, LLC**

v.

**FREE STREAM MEDIA CORP.**

**CASE NO. 6:12-cv-527**

**BLUE SPIKE, LLC**

v.

**THE ECHO NEST CORP.**

**CASE NO. 6:12-cv-528**

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**BLUE SPIKE, LLC**

v.

**PEER MEDIA TECHNOLOGIES, INC.**

**CASE NO. 6:12-cv-529**

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**BLUE SPIKE, LLC**

v.

**TUNESAT, LLC**

**CASE NO. 6:12-cv-533**

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**BLUE SPIKE, LLC**

v.

**VERCURY, INC.**

**CASE NO. 6:12-cv-534**

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**BLUE SPIKE, LLC**

v.

**SOUNDHOUND, INC.**

**CASE NO. 6:12-cv-537**

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**BLUE SPIKE, LLC**

v.

**VOBILE, INC.**

**CASE NO. 6:12-cv-539**

**BLUE SPIKE, LLC**

v.

**ATTRIBUTOR CORP.**

**CASE NO. 6:12-cv-540**

**BLUE SPIKE, LLC**

v.

**CIVOLUTION USA, INC., et al.**

**CASE NO. 6:12-cv-557**

**BLUE SPIKE, LLC**

v.

**GOOGLE INC.**

**CASE NO. 6:12-cv-558**

**BLUE SPIKE, LLC**

v.

**ADOBE SYSTEMS, INC.**

**CASE NO. 6:12-cv-564**

**BLUE SPIKE, LLC**

v.

**UMAMI CO.**

**CASE NO. 6:12-cv-565**

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**BLUE SPIKE, LLC**

v.

**IRDETO USA INC., et al.**

**CASE NO. 6:12-cv-567**

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**BLUE SPIKE, LLC**

v.

**ZEITERA, LLC, et al.**

**CASE NO. 6:12-cv-568**

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**BLUE SPIKE, LLC**

v.

**WIOFFER, LLC**

**CASE NO. 6:12-cv-570**

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**BLUE SPIKE, LLC**

v.

**TECHNICOLOR USA, INC., et al.**

**CASE NO. 6:12-cv-572**

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BLUE SPIKE, LLC §  
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v. § CASE NO. 6:12-cv-576  
AUDIBLE MAGIC CORP., et al. §  
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BLUE SPIKE, LLC §  
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v. § CASE NO. 6:12-cv-577  
ROVI CORP., et al. §  
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BLUE SPIKE, LLC §  
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v. § CASE NO. 6:12-cv-580  
YOUWEB, LLC, et al. §  
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BLUE SPIKE, LLC §  
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v. § CASE NO. 6:12-cv-581  
SMRTV, INC. §  
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BLUE SPIKE, LLC §  
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v. § CASE NO. 6:12-cv-582  
ACTV8, INC. §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-586**  
**BROADCAST MUSIC, INC., et al.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-587**  
**THE NIELSEN COMPANY (US) LLC** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-594**  
**CBS INTERACTIVE, INC., et al.** §  
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**BLUE SPIKE, LLC** §  
§  
v. § **CASE NO. 6:12-cv-595**  
**CLEAR CHANNEL BROADCASTING,  
INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-598**  
**SOUNDMOUSE LTD.** §  
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**BLUE SPIKE, LLC**

v.

**SECUGEN CORPORATION**

**CASE NO. 6:12-cv-607**

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**BLUE SPIKE, LLC**

v.

**ZKTECO, INC., et al.**

**CASE NO. 6:12-cv-608**

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**BLUE SPIKE, LLC**

v.

**FULCRUM BIOMETRICS, LLC, et al.**

**CASE NO. 6:12-cv-610**

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**BLUE SPIKE, LLC**

v.

**FUJITSU AMERICA, INC., et al.**

**CASE NO. 6:12-cv-616**

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**BLUE SPIKE, LLC**

v.

**GREEN BIT, INC., et al/**

**CASE NO. 6:12-cv-645**

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**BLUE SPIKE, LLC**

v.

**TVTAK USA, INC., et al.**

**CASE NO. 6:12-cv-646**

**BLUE SPIKE, LLC**

v.

**INNOVATRICS S.R.O., et al.**

**CASE NO. 6:12-cv-647**

**BLUE SPIKE, LLC**

v.

**BIOLINK SOLUTIONS LTD., et al.**

**CASE NO. 6:12-cv-648**

**BLUE SPIKE, LLC**

v.

**L-1 IDENTITY SOLUTIONS, INC., et al.**

**CASE NO. 6:12-cv-680**

**BLUE SPIKE, LLC**

v.

**LUMIDIGM, INC.**

**CASE NO. 6:12-cv-681**

**BLUE SPIKE, LLC**

v.

**BMAT LICENSING, S.L.**

**CASE NO. 6:12-cv-682**

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**BLUE SPIKE, LLC**

v.

**TV INTERACTIVE SYSTEMS, INC.**

**CASE NO. 6:12-cv-684**

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**BLUE SPIKE, LLC**

v.

**3M COGENT, INC.**

**CASE NO. 6:12-cv-685**

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**BLUE SPIKE, LLC**

v.

**ANTHEUS TECHNOLOGY, INC.**

**CASE NO. 6:12-cv-686**

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**BLUE SPIKE, LLC**

v.

**AWARE, INC.**

**CASE NO. 6:12-cv-687**

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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-688**  
**IMAGEWARE SYSTEMS, INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-694**  
**PRECISE BIOMETRICS, INC., et al.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:12-cv-759**  
**DIGITALPERSONA CORP.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-37**  
**ACCU-TIME SYSETMS, INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-38**  
**ANIMETRICS, INC.** §  
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**BLUE SPIKE, LLC**

v.

**ANVIZ GLOBAL, INC.**

**CASE NO. 6:13-cv-39**

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**BLUE SPIKE, LLC**

v.

**AOPTIX TECHNOLOGIES, INC.**

**CASE NO. 6:13-cv-40**

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**BLUE SPIKE, LLC**

v.

**ASURE SOFTWARE, INC.**

**CASE NO. 6:13-cv-44**

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**BLUE SPIKE, LLC**

v.

**BIOMETRIKA, S.R.L., et al.**

**CASE NO. 6:13-cv-45**

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**BLUE SPIKE, LLC**

v.

**DAON, INC.**

**CASE NO. 6:13-cv-47**

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**BLUE SPIKE, LLC**

v.

**DERMALOG IDENTIFICATION  
SYSTEMS, GMBH, et al.**

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**CASE NO. 6:13-cv-53**

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**BLUE SPIKE, LLC**

v.

**FUTRONIC TECHNOLOGY CO., LTD.,  
et al.**

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**CASE NO. 6:13-cv-54**

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**BLUE SPIKE, LLC**

v.

**IRITECH, INC.**

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**CASE NO. 6:13-cv-55**

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**BLUE SPIKE, LLC**

v.

**NITGEN & COMPANY CO., LTD**

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**CASE NO. 6:13-cv-56**

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**BLUE SPIKE, LLC**

v.

**SUPREMA, INC., et al.**

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**CASE NO. 6:13-cv-57**

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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-58**  
**SONDA TECHNOLOGIES, LTD.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-59**  
**SPEECHPRO, INC., et al.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-60**  
**CBS INTERACTIVE, INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-83**  
**M2SYS, LLC** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-84**  
**TYGART TECHNOLOGY, INC.** §  
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**BLUE SPIKE, LLC**

v.

**KRONOS INC.**

**CASE NO. 6:13-cv-86**

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**BLUE SPIKE, LLC**

v.

**HITACHI AMERICA, LTD.**

**CASE NO. 6:13-cv-87**

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**BLUE SPIKE, LLC**

v.

**IRIS ID SYSTEMS, INC.**

**CASE NO. 6:13-cv-88**

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**BLUE SPIKE, LLC**

v.

**MORPHOTRAK, INC., et al.**

**CASE NO. 6:13-cv-89**

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**BLUE SPIKE, LLC**

v.

**AZZONSOFT US, INC., et al.**

**CASE NO. 6:13-cv-106**

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**BLUE SPIKE, LLC**

v.

**INGERSOLL-RAND CO.**

**CASE NO. 6:13-cv-108**

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**BLUE SPIKE, LLC**

v.

**AMANO CINCINNATI, INC.**

**CASE NO. 6:13-cv-109**

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**BLUE SPIKE, LLC**

v.

**SMART MEDIA INNOVATIONS, LLC,  
et al.**

**CASE NO. 6:13-cv-110**

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**BLUE SPIKE, LLC**

v.

**AIRBORNE BIOMETRICS GROUP,  
INC.**

**CASE NO. 6:13-cv-112**

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**BLUE SPIKE, LLC**

v.

**COGNITEC SYSTEMS CORP., et al.**

**CASE NO. 6:13-cv-124**

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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-125**  
**ENTROPIC COMMUNICATIONS, INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-126**  
**VISIBLE WORLD, INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-127**  
**INFINISOURCE, INC., et al.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-128**  
**ANSWERS, INC.** §  
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**BLUE SPIKE, LLC** §  
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v. § **CASE NO. 6:13-cv-129**  
**AGNITIO CORP.** §  
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**BLUE SPIKE, LLC**

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v.

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**ZVETCO, LLC**

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**CASE NO. 6:13-cv-130**

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**ORDER CONSOLIDATING AND REQUIRING PLAINTIFF TO NOTIFY THE COURT WHEN CASE IS READY FOR SCHEDULING**

Plaintiff recently filed a notice indicating that the above listed cases are related and that the Plaintiff does not anticipate filing any additional related cases. Plaintiff also requests that this series of related cases proceed under a uniform schedule.

Accordingly, the above listed cases are hereby consolidated into cause number 6:12-cv-499, *Blue Spike, LLC v. Texas Instruments, Inc.*, for all pretrial purposes, including discovery and claim construction. The Court defers any decisions regarding consolidation for trial.

In view of this consolidation, the Clerk of the Court shall add the consolidated defendants to the lead case, as well as lead counsel only. Any other counsel who wishes to appear in the lead case shall file a notice of appearance in that case. Further, the Clerk shall close all cases listed above other than the lead case.

**Any motions (including motions challenging venue<sup>1</sup> or jurisdiction) filed prior to consolidation in all cases must be refiled in the consolidated case (6:12-cv-499) to be**

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<sup>1</sup> This pretrial consolidation—done for case management purposes—does not impact individual parties’ rights to challenge venue as their rights existed prior to this consolidation. See *In re EMC Corp.*, 677 F.3d 1351, 1360 (Fed. Cir. 2012).

considered by the Court.<sup>2</sup>

The Court further **ORDERS** Plaintiff to file a notice of readiness for scheduling conference when all Defendants in the consolidated case have either answered or filed a motion to transfer or dismiss.<sup>3</sup> The notice must be filed within five days of the last remaining Defendant's answer or motion. The notice must include a list of any pending motions to dismiss or transfer and a list of any other related cases filed in the Eastern District of Texas involving the same patent(s).

If the consolidated case is not ready for scheduling conference within 90 days of this order, Plaintiff must file a detailed status report explaining the reason for the delay.

Furthermore, attorney Stephen E. Edwards has moved to withdraw from several of the case listed above.<sup>4</sup> The Court GRANTS the motions in all cases in which it is pending.

**It is SO ORDERED.**

SIGNED this 25th day of March, 2013.



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> The deadline for responsive briefing to any motions reurged in the lead case should be calculated based on the date the motion was originally filed.

<sup>3</sup> Plaintiff should not delay filing the notice because of later-filed, related cases.

<sup>4</sup> Motions to withdraw are pending in the following cases: *Blue Spike, LLC v. CBS Interactive, Inc.*, 6:13-cv-60, Doc. No. 11; *Blue Spike, LLC v. M2SYS, LLC*, 6:13-cv-83, Doc. No. 11; *Blue Spike, LLC v. Tygart Technology, Inc.*, 6:13-cv-84, Doc. No. 12; *Blue Spike, LLC v. Kronos Inc.*, 6:13-cv-86, Doc. No. 11; *Blue Spike, LLC v. Hitachi America, Ltd.*, 6:13-cv-87, Doc. No. 13; *Blue Spike, LLC v. Iris ID Systems, Inc.*, 6:13-cv-88, Doc. No. 13; *Blue Spike, LLC v. MorphoTrak, Inc.*, 6:13-cv-89, Doc. No. 14; *Blue Spike, LLC v. AxxonSoft US, Inc.*, 6:13-cv-106, Doc. No. 12; *Blue Spike, LLC v. Ingersoll-Rand Co.*, 6:13-cv-108, Doc. No. 14; *Blue Spike, LLC v. Amano Cincinnati, Inc.*, 6:13-cv-109, Doc. No. 11; *Blue Spike, LLC v. Smart Media Innovations, LLC*, 6:13-cv-110, Doc. No. 13; *Blue Spike, LLC v. Airborne Biometrics Group, Inc.*, 6:13-cv-112, Doc. No. 11; *Blue Spike, LLC v. Cognetic Systems Corp.*, 6:13-cv-124, Doc. No. 12; *Blue Spike, LLC v. Entropic Communications, Inc.*, 6:13-cv-125, Doc. No. 7; *Blue Spike, LLC v. Visible World, Inc.*, 6:13-cv-126, Doc. No. 10; *Blue Spike, LLC v. Infinisource, Inc.*, 6:13-cv-127, Doc. No. 10; *Blue Spike, LLC v. Answers, Inc.*, 6:13-cv-128, Doc. No. 10; *Blue Spike, LLC v. Agnitio Corp.*, 6:13-cv-129, Doc. No. 10; *Blue Spike, LLC v. Zvetco, LLC*, 6:13-cv-130, Doc. No. 10.